

CITY COUNCIL, CITY OF LODI
COUNCIL CHAMBER, CITY HALL
APRIL 1, 1959

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, April 1, 1959; Councilmen Brown, Culbertson, Mitchell, Robinson and Katzakian (Mayor) present; none absent. City Manager Graves, Planning Director Rodgers and Administrative Assistant Brown present. City Attorney Mullen arrived at 8:10 p.m.

MINUTES On motion of Councilman Brown, Mitchell second, the Minutes of March 18, 1959 were approved as written and mailed.

PUBLIC HEARINGS

HEALY ADDITION Mayor Katzakian called for public hearing on the intention to annex the Healy Addition with C-2 Commercial zoning. There being no protests, either written or oral, and the Planning Commission having recommended such zoning, Ordinance No. 640, annexing the Healy Addition with C-2 zoning, was introduced on motion of Councilman Brown, Culbertson second, after reading by title and waiving the reading of the ordinance in full.

COMMUNICATIONS

ABC LICENSE Notice of application for transfer of Alcoholic Beverage License, On Sale Beer and Wine, from Builio Biagi, 27 Club, 27 North Sacramento Street.

PT&T CLAIMS
FOR DAMAGES Three claims from the Pacific Telephone and Telegraph Company for damages to aerial cable caused by high winds, amounting to a total of \$289.09. The claims were rejected and referred to the Agent of Record on motion of Councilman Robinson, Brown second.

REPORTS OF THE CITY MANAGER

WESTWOOD AVE.
EXTENSION The City Manager reported that Mr. & Mrs. A.W. Fear were willing to deed a strip of land 18 feet wide for the future extension of Westwood Avenue to Lake Street in exchange for the City's installation of 102 feet of curb and gutter along the Lake Street frontage on their property. They do not wish to dedicate the entire street at the present time, but have agreed that no future buildings will be placed within the future right of way of Westwood Avenue. The Planning Commission recommended that the deed to the 18-foot strip be accepted in exchange for the requested curb and gutter. Mr. Richard DeVol, 401 Westwood Avenue, presented a petition signed by 23 residents of the street protesting the opening of the street to Lake Street, stating they were against putting the street through because resulting traffic would be dangerous to their children. The probability of heavy traffic on this street was discussed and it was felt that it would not become a problem as it was not in the direct line of traffic.

It was also noted that it was too long to be suitable as a cul de sac. On motion of Councilman Culbertson, Brown second, the Council unanimously approved acceptance of a deed from Mr. & Mrs. Fear for 18 feet on the west side of their property in exchange for 102 feet of curb and gutter along the Lake Street frontage of their property. Stating that a setback line should be established for the proposed extension of Wellwood Avenue, Councilman Robinson moved, Brown second, that the Council set April 15, 1959 as the date for public hearing on the establishment of a setback line 25 feet from the center line of Westwood Avenue and its proposed extension to Lake Street. Motion carried.

AIR CONDITIONING ORDINANCE Mr. Graves stated that the Director of Public Works had proposed an ordinance to regulate air conditioners. The Council agreed that the matter should be held over for a couple of meetings.

HIGHWAY AGREEMENT RE SANITARY SEWERS An agreement was presented from the State Division of Highways whereby the State would pay the City an estimated \$17,810 for relocation of sanitary sewers which are in the way of the 99 Freeway project. On motion of Councilman Culbertson, Brown second, the Council adopted Resolution No. 2217 authorizing execution of the agreement by the Mayor and City Clerk.

LEGISLATION The City Manager informed the Council that the League-sponsored legislation for a one-cent increase in gasoline tax to provide revenue on a matching fund basis for city street needs was being modified by expanding the program to include any city street for any construction purpose and providing that the funds be shared by cities and counties. The City Manager stated that under this revised plan the City would benefit from such legislation with \$216,000 of the City's budget eligible to be used for matching funds. Councilman Robinson moved that legislation to increase the gasoline tax one cent not be endorsed. The motion was seconded by Councilman Mitchell and failed to pass by the following vote:

AYES: Councilmen - Mitchell and Robinson

NOES: Councilmen - Brown, Culbertson and Katzakian

Councilman Brown moved, Culbertson second, that Resolution No. 2218 urging the Legislature to increase the gas tax one cent per gallon for allocation to cities and counties be adopted. The resolution was adopted by the following vote:

AYES: Councilmen - Brown, Culbertson and Katzakian

NOES: Councilmen - Mitchell and Robinson

The City Manager reported on anti-home rule bills that were before the State Legislature and was instructed to oppose all such legislation.

ALLIED GRAPE GROWERS INDUSTRIAL WASTES The City Manager presented a letter from Allied Grape Growers who operate both the Shevan Jones Winery and the Community Winery and are requesting that the industrial waste service being given by

the City to the Shewan Jones plant be transferred to the Community Winery. A memorandum from the Director of Public Works states that the City could expect a discharge of 1/3 more wastes than being received from the Shewan Jones Winery and that Mr. Carleton Foder, the City's Sanitary Engineering Consultant, believes that in order to properly handle the winery wastes and the peach load from the cannery, 170 acres of oxidation ponds costing approximately \$135,000 would be required. The Director of Public Works is of the opinion that the City will ultimately have to provide better treatment than being provided at present in order to reduce the odor problem and he recommends that the proposal of Allied Grape Growers be accepted on a trial basis; the City Manager concurred. The cost of taking care of the wastes was discussed and it was pointed out that Allied Grape Growers should be made aware that the rates might go up considerably. Also, in the event that it is necessary to increase facilities, the Company would bear its proper share of the Capital Outlay. On motion of Councilman Culbertson, Robinson second, the Council instructed the City Manager and City Attorney to work up an agreement for disposal of industrial wastes at the Community Winery for presentation to the Council at the meeting of April 15.

HUTCHINS ST.
WIDENING

Mr. Graves stated that the Sturla family was offering the City a deed to a strip of land 5 feet wide and 140 feet long on the east side of Hutchins Street to permit widening of the street, providing the City would install sidewalk at its expense along Hutchins Street. On motion of Councilman Brown, Mitchell second, the offer was accepted.

CLAIMS

Claims in the amount of \$91,767.69 were approved on motion of Councilman Culbertson, Brown second.

ST. LIGHT PLANS

Superintendent of Utilities Killelea showed and explained the plans for the proposed Tokay Street Lighting District.

CHURCH AND
MARQUARDT
COMMENDED

On motion of Mayor Katzakian, Robinson second, the Council adopted Resolution No. 2219 which reads as follows:

RES. NO. 2219
ADOPTED

"WHEREAS, CLYDE C. CHURCH and ARTHUR W. MARQUARDT have for approximately 25 years published and operated the LODI NEWS-SENTINEL in the City of Lodi; and

"WHEREAS, during all those years they have truly, faithfully, and accurately reported the activities of the City Council of the City of Lodi; and

"WHEREAS, they have always maintained and carried out the highest code of ethics as publishers and have fully performed their responsibilities of keeping the public advised through their press of the problems and progress of the City;

"NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lodi, that this resolution be adopted commending the said CLYDE C. CHURCH and ARTHUR W. MARQUARDT for their many years of splendid service not only to the City Council and officials of the City of Lodi, but to the public at large in their operation of the LODI NEWS-SENTINEL.

"BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Minutes of the City Council and a certified copy of this resolution be forwarded to CLYDE C. CHURCH and ARTHUR W. MARQUARDT so they may be fully apprised of the appreciation and esteem in which they are held by the City Council and the citizens of Lodi."

COUNCIL REORGANIZATION

BROWN ELECTED MAYOR This being the time to elect a Mayor for a one-year term in accordance with Resolution No. 1524, Mayor Katzakian thanked members of the Council for having given him the opportunity to serve as Mayor during the past year and then turned the meeting over to the City Clerk. The City Clerk called for nominations for the office of Mayor. On motion of Councilman Robinson, Mitchell second, Fred M. Brown was nominated for Mayor, and on motion of Councilman Culbertson, Katzakian second, the nominations were closed. Fred M. Brown was then elected Mayor by unanimous vote and took his seat as presiding officer, thanking the Council for electing him Mayor and stating he would do his best.

CULBERTSON ELECTED VICE MAYOR Mayor Brown called for nominations for the office of Vice Mayor (Mayor Pro Tempore). Councilman Katzakian, Mitchell second, nominated Councilman Culbertson for Vice Mayor. Nominations were then closed and a unanimous vote cast for Councilman Culbertson.

On motion of Councilman Katzakian, Robinson second, the meeting adjourned.

ATTEST: *Beatrice Garibaldi*
BEATRICE GARIBALDI
City Clerk